

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEIULEMAR COMPAGNIA DI
NAVIGAZIONE, SPA,

Plaintiff,

-against-

OVERSEAS WORLDWIDE HOLDING
GROUP, et al.,

Defendants.

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DEBORAH A. BATTS, United States District Judge.


On April 4, 2008, at the request of TOM Shipping Vermittlung GNBH, this Court entered an "Order to Show Cause Why an Order Vacating an Attachment of a Non-Party's Property Should not be Granted."

(Emphasis in original). Pursuant to this Order, Plaintiff was required to serve any answering papers by April 11, 2008 and appear before the Court to show cause on April 15, 2008 at 11:00 AM.

On April 10, 2008, Plaintiff filed a First Amended Verified Complaint, adding TOM Shipping Vermittlung GNBH as a party to the action. In light of the fact that the sole basis for now-Defendant TOM Shipping Vermittlung GNBH's motion was its status as a non-party, the Court now vacates its April 4, 2008 Order and DENIES the motion as moot. Accordingly, the hearing currently scheduled for April 15, 2008 at 11:00 AM is cancelled.

SO ORDERED.

Dated: New York, New York
April 10, 2008


DEBORAH A. BATTS
United States District Judge

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